

U of T Faculty of Law



CANADIAN IMMIGRATION & REFUGEE LAW

Fall 2001

VOLUME I

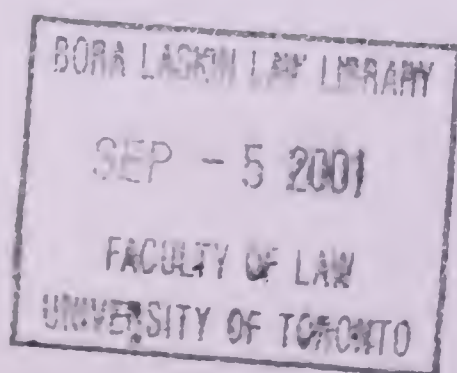
Prof. Audrey Macklin

Materials prepared by:

Audrey Macklin, U of T Fac. Law

Sharryn Aiken, Centre for Refugee Studies, York University

With the assistance of Dina Bogecho, LL.B.



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WEEK 1

SNAPSHOTS

The purpose of the newspaper clippings is 2 fold: The first is to give you a random sampling of contemporary issues and events in global and domestic migration. The second is to invite you to reflect critically on how the media portrays immigrants, refugees and other migrants. The third objective is to introduce you to the weekly "news roundup" which we will be doing at the start of each future class.

WEEK 2

THEORETICAL PERSPECTIVES: LIBERAL & COMMUNITARIAN DEBATES

This week's readings introduce you to contending theoretical claims about justice and immigration. One of the subtexts concerns whether liberalism (as the dominant discourse of Western democracies) has anything meaningful to say about immigration policy and, if so, what it says. Not only are these debates important on their own terms, but they are also helpful in organizing and critiquing the underlying tenets of the Canadian legal regime, which we will be exploring in future sessions.

WEEK 3

HISTORICAL AND CONTEMPORARY THEMES

This week's readings review some of the historical trends in Canadian immigration policy leading up to the present day. Historically, class, race and gender figured prominently and explicitly in who was admitted, for what purpose, and under what conditions. To what extent is contemporary immigration policy shaped by these factors? How has the discourse around immigration evolved? These are some of the questions we will explore in class.

WEEK 4

PROCEDURAL & SUBSTANTIVE CONSTRAINTS: ADMINISTRATIVE, CONSTITUTIONAL AND INT'L HUMAN RIGHTS NORMS

One of the current debates in social science literature on immigration concerns the extent to which international and domestic human rights norms have limited the 'sovereign' power of the state to select, exclude and expel migrants. Some believe that these normative constraints significantly limit state powers, while others maintain that the state's power has only been minimally impaired. This week's readings inquire into the scope, sources and impact of legal constraints within the Canadian context.

WEEK 5

CLASSIFICATION UNDER CANADIAN IMMIGRATION LAW: VISITORS, IMMIGRANTS, REFUGEES, PERMANENT RESIDENTS, CITIZENS

The first part of the class will be spent reviewing the categories into which Canadian immigration law sorts people. The second part of the class will discuss visitors and temporary workers. Try to locate where and how the entry of workers on temporary employment authorizations is regulated under the current legislative scheme, and figure out what changes Bill C-11 proposes.

WEEK 6

ECONOMIC IMMIGRANTS

WEEK 7

FAMILY CLASS

The materials in this package raise several issues: Who is/ought to be family? What constitute legitimate procedures for determining who is family? Should migrants be subject to special legal duties to support their family members in Canada? To what extent should family connections affect deportation decisions? How should immigration law respond to the phenomenon of 'mail-order' marriages? Finally, you should review Bill C-11 and proposed regulations thereunder. What changes does Bill C-11 propose to make, and what do you think of them? Recall that Bill C-11 states that one of the objectives of the legislation is "to see that families are reunited".

